

### **Remark**

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 4, 13, 14, 17 and 19 have been amended. No claims have been cancelled. Therefore, claims 1-24 are present for examination.

### **35 U.S.C. §103 Rejection**

#### ***Yun in view of Scott***

The Examiner has rejected claims 1, 6-8, 14, 19 and 24 under 35 U.S.C. §103 (a) as being unpatentable over Yun, U.S. Patent No. 5,909,471 ("Yun") in view of Scott, U.S. Patent No. 6,388,997 ("Scott"). Yun was cited to show receiving a BCCH/SCCH, establishing timing, and sending an SCCH that includes a training sequence. Scott was cited to show timing control by a base station. Without conceding that these references apply to the claims as the Examiner has suggested, Applicant points out that the independent claims have been clarified to recite, for example in Claim 1, "selecting a training sequence at the receiving station... from among a plurality of training sequences." Neither reference shows such an element. Accordingly, Applicant respectfully submits that all pending claims are allowable over the cited combination.

### **35 U.S.C. §103 Rejection**

#### ***Yun in view of Scott further in view of Lin***

The Examiner has rejected claims 2, 15 and 20 under 35 U.S.C. §103 (a) as being unpatentable over Yun, in view of Scott and further in view of Lin et al., U.S. Patent No. 6,331,996 ("Lin"). Lin is cited to show randomly selecting a training sequence from among a set of predetermined training sequences. However, a closer reading reveals that there is no mention of

how a training sequence is selected, nor that there may be a plurality of training sequences. The Lin abstract reads, "[A] known training sequence of binary pseudorandom signals, PN, is received..." So, in the abstract, only one sequence is mentioned. There is no suggestion that a selection be made. The same language is used at 1:35-48. While this section suggests that there are several frequencies that share the same desirable properties, there is no suggestion that one be selected at the receiving station from this group.

At 3:25-40, again "a binary pseudo random (PN) sequence is used as the training sequence." While the remaining section describes how the sequence is generated using a generator polynomial (Equation 3), there is no suggestion that any more than one sequence ever be used. If the generator polynomial uses a single set of inputs, the resulting sequence will always be identical. A pseudo random sequence is not random at all, in the sense that value of the next symbol cannot be predicted, but it appears random in the sense that the values of the symbols are evenly distributed when taken over a large number of symbols. In Lin, there is a PN generator polynomial that will always generate the same sequence, not a random selection of one of a plurality of known sequences.

As mentioned above, Claim 1 recites, for example, "selecting a training sequence at the receiving station... from among a plurality of training sequences." There is nothing in Lin to show or suggest such a selection. Accordingly, the claims are believed to be allowable over the cited combination.

### 35 U.S.C. §103 Rejection

#### *Yun in view of Scott and further in view of Jokinen*

The Examiner has rejected claims further claims under 35 U.S.C. §103 (a) as being unpatentable over combinations of Yun, with Scott, Jokinen, U.S. Patent No. 6,038,238 (“Jokinen”) and Yellin et al., U.S. Patent No. 6,546,042 (“Yellin”). While not conceding the assertions of the Examiner with respect to these references, Applicants respectfully submit that neither reference is cited to show or suggest, nor do they show or suggest, the limitations, for example, of Claim 1 discussed above. Accordingly, the claims are also believed to be allowable over these combinations.

### **Conclusion**

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

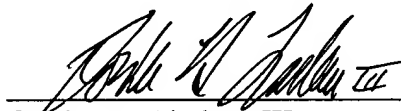
### **Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension. Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Gordon R. Lindeen III  
Reg. No. 33,192

12400 Wilshire Boulevard  
7th Floor  
Los Angeles, California 90025-1026  
(303) 740-1980